



(Modified) PTO/SB/81 (09-03)  
Approved for use through 11/30/05. OMB 0651-0035

**POWER OF ATTORNEY and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	<b>10/606,203</b>
Filing Date	<b>June 25, 2003</b>
First Named Inventor	<b>Wesley B. Dong</b>
Title	<b>Methods and apparatus for...</b>
Art Unit	
Examiner Name	
Attorney Docket Number	<b>100/16101</b>

I hereby appoint:

☒ Practitioners associated with the Customer Number

**021569**

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number \_\_\_\_\_

OR

Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			

I am the

☐ Applicant.

☒ Assignee of record of the entire interest (*Certificate under 37 CFR 3.73(b) is enclosed*)

SIGNATURE of Applicant or Assignee of Record

Name	<b>Stephen E. Creager</b>		
Signature			
Date	<b>2/10/04</b>	Telephone	<b>(650) 623-0412</b>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

Typed or printed name	<b>Michelle Chan</b>		
Signature		Date	<b>Feb. 11, 2004</b>



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: **Wesley B. Dong**

Application No./Patent No.: **10/606,203**

Filed/Issue Date: **June 25, 2003**

Entitled: **Methods and Apparatus for Minimizing Evaporation of Sample Materials...**

**Caliper Life Sciences, Inc.**

, a

**Delaware corporation,**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: **Wesley B. Dong** To: **Caliper Technologies Corp.**  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

2. From: **Caliper Technologies Corp.** To: **Caliper Life Sciences, Inc.**  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

\_\_\_\_\_  
Date

**650-623-0412**  
Telephone Number

  
Signature

**Stephen E. Creager**  
Typed or printed name

**Vice President/General Counsel**  
Title

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS **Wesley B. Dong** of **860 Miramar Terrace, Belmont, CA 94002**, hereinafter referred to as "Assignor(s)," is/are the inventor(s) of the invention described and set forth in the below identified application for a United States Letters Patent:

Title of the Invention:     **Methods and Apparatus for Minimizing Evaporation of Sample Materials from Multiwell Plates**

Filing Date:             **June 25, 2003**

Serial No.:             **10/606,203**; and

WHEREAS, **CALIPER TECHNOLOGIES CORP.**, a DELAWARE corporation located at 605 Fairchild Drive, Mountain View, CA 94043-2234, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor(s), Assignor(s) has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model, and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries of the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor(s) had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation, in-whole or in-part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor(s) further agree(s) that Assignor(s) will without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patents and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor(s) has signed his or her name on the date indicated.

Date:     **January 21, 2004**

  
Wesley B. Dong

# Delaware

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*The First State*



I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP OF "CALIPER TECHNOLOGIES CORP.", CHANGING ITS NAME FROM "CALIPER TECHNOLOGIES CORP." TO "CALIPER LIFE SCIENCES, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF JANUARY, A.D. 2004, AT 1:19 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE TWENTY-THIRD DAY OF JANUARY, A.D. 2004, AT 8 O'CLOCK A.M.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

2524908 8100

AUTHENTICATION: 2914532

040081628

DATE: 02-05-04

**CERTIFICATE OF OWNERSHIP AND MERGER**

**MERGING**

**CALIPER MERGER SUB, INC.**

**WITH AND INTO**

**CALIPER TECHNOLOGIES CORP.**

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Pursuant to Section 253 of the  
Delaware General Corporation Law

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**CALIPER TECHNOLOGIES CORP.**, a corporation organized and existing under the laws of the State of Delaware (this "**Corporation**"), **DOES HEREBY CERTIFY:**

**FIRST:** That this Corporation was incorporated on July 26, 1995, pursuant to the Delaware General Corporation Law (the "**DGCL**"), the provisions of which permit the merger of a subsidiary corporation organized and existing under the laws of such State with and into a parent corporation organized and existing under the laws of such State.

**SECOND:** That this Corporation owns all of the outstanding shares of the common stock, \$0.001 par value per share, of Caliper Merger Sub, Inc., a corporation incorporated on January 13, 2004 (the "**Merger Sub**"), pursuant to the DGCL, and having no class of stock outstanding other than such common stock.

**THIRD:** That this Corporation, by the following resolutions of its Board of Directors, duly adopted by the unanimous written consent of the directors thereof and filed with the minutes of its Board of Directors pursuant to Section 141(f) of the DGCL on January 16, 2004, determined to merge the Merger Sub with and into itself:

**RESOLVED,** that the Merger Sub be merged with and into the Corporation (the "**Merger**") and that the Corporation be the surviving corporation of the Merger;

**RESOLVED FURTHER,** that the Merger shall become effective on the filing of a Certificate of Ownership and Merger (the "**Certificate of Merger**") prepared and executed by an officer of the Corporation in the form required by Section 253 of the General Corporation Law of the State of Delaware and filed with the Secretary of State of the State of Delaware;

**RESOLVED FURTHER,** that upon the effectiveness of the Merger, (i) the Corporation shall assume all of the liabilities and obligations of the Merger Sub, (ii) the name of the Corporation shall be changed from "Caliper Technologies Corp." to "Caliper Life Sciences, Inc." and (iii) Article I of the Certificate of Incorporation of the Corporation shall be amended and restated to read as follows:

"The name of this corporation is Caliper Life Sciences, Inc."

**RESOLVED FURTHER**, that the officers of the Corporation be, and each of them hereby is, authorized and directed, for and on behalf of the Corporation, to effect all filings and qualifications, and take all further actions, that any such officer deems to be necessary or appropriate to comply with state or federal securities laws in connection with the transactions contemplated by the Merger and the Certificate of Merger;

**RESOLVED FURTHER**, that the officers of the Corporation be, and each of them hereby is, authorized and directed for and on behalf of the Corporation to prepare, execute and deliver the Certificate of Merger and any other agreements, certificates and other documents referred to therein or contemplated thereby, and to cause the Corporation to perform its obligations under the Certificate of Merger; and

**RESOLVED FURTHER**, that the officers of the Corporation be, and each of them hereby is, authorized and directed, for and on behalf of the Corporation, to execute and deliver all other instruments, effect all filings and qualifications, and take all further actions, that either of them deem to be necessary or appropriate to carry out the purposes of the foregoing resolutions and to consummate the transactions contemplated by the Merger and the Certificate of Merger.

**FOURTH:** That the surviving corporation (the "*Surviving Corporation*") shall be this Corporation

**FIFTH:** That from and after the effective time of the Merger, the Certificate of Incorporation, as amended, of this Corporation shall be the Certificate of Incorporation of the Surviving Corporation and Article I of the Certificate of Incorporation of this Corporation shall be amended and restated to read as follows:

"The name of this Corporation is Caliper Life Sciences, Inc."

**SIXTH:** That the Merger shall become effective at 8:00 a.m. EST on January 23, 2004.

IN WITNESS WHEREOF, Caliper Technologies Corp. has caused this Certificate of Ownership and Merger to be executed in its corporate name as of this 20<sup>th</sup> day of January, 2004.

CALIPER TECHNOLOGIES CORP.

By:   
E. Kevin Hrusovsky  
President and Chief Executive Officer